



Federal Communications Commission
Washington, D.C. 20554

DA 08-550

March 11, 2008

Mr. David Keir, Esq.
Leventhal Senter & Lerman PLLC
2000 K Street, N.W.
Suite 600
Washington, DC 20006-1809

Re: Call Sign E2532
File No. SES-MOD-20071218-01720

Dear Mr. Keir:

On December 12, 2007, FiberSat Global Services, Inc. (FiberSat) filed the above-captioned application to modify its conventional C-band¹ fixed earth station license to add emissions² and increase power. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss, as defective without prejudice to refiling,³ the portion of the application that seeks to operate the 36M0G7W emission at an EIRP of 74.9 dBW.

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, that contains internal inconsistencies, or that does not substantially comply with the Commission's rules. A portion of FiberSat's application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiency is as follows:

In response to item E49 of Schedule B, FiberSat lists a maximum equivalent isotropic radiated power (EIRP) density per carrier for emission designator 36M0G7W of the transmit frequency as 34.1

¹ 3700-4200 and 5925-6425 MHz bands.

² 3M00G7W and 36M0G7W.

³ If FiberSat refiles an application identical to the one dismissed, with the exception of supplying the corrected information, it need not pay an application fee. See 47 C.F.R. § 1.1109(d).

dBW/4kHz. This value is less than, and therefore inconsistent with, the average value of 35.36 dBW/4kHz that we calculate using the EIRP value of 74.9 dBW FiberSat provides in response to item E48 and the bandwidth of 36 megahertz of the corresponding G7W emission FiberSat provides in response to item E47 of Schedule B. Given this inconsistency, we cannot determine the proposed emission power. Thus, the portion of FiberSat's application pertaining to the 36M0G7W emission using an EIRP of 74.9 dBW is defective.

While we dismiss the portion of the application on the above basis, we also request the following information regarding the portions of the application that remain pending.

In response to Question E15 of Schedule B, FiberSat answered that its 4.1 meter antenna earth station complies with the antenna gain patterns specified in Section 25.209(a) and (b) of the Commission's rules, 47 C.F.R. §25.209(a) and (b). Pursuant to Section 25.132(a)(1) of the Commission's rules, we request FiberSat to demonstrate these measurements by submitting the antenna gain patterns for the 4.1 meter antenna.

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(2), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. §0.261, we dismiss the application to the extent indicated above. Further, with respect to the portions of the application that remain pending, FiberSat is required to respond to this letter not later than 30 calendar days of the date of this letter. Failure to do so may result in the dismissal of the application in its entirety pursuant Section 25.112(c) of the Commission's Rules, 47 C.F.R. § 25.112(c).

Sincerely,

Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division
International Bureau